

IMPLEMENTATION TEAM MEETING NOTES

December 5, 2001, 9 p.m.-4 p.m.

NATIONAL MARINE FISHERIES SERVICE OFFICES PORTLAND, OREGON

1. Greetings, Introductions and Review of the Agenda.

The December 5, 2001 Implementation Team meeting, held at the National Marine Fisheries Service's offices in Portland, Oregon, was chaired by Jim Ruff of NMFS and facilitated by Donna Silverberg.

The following is a distillation (not a verbatim transcript) of items discussed during the call, together with actions taken on those items. Please note that some enclosures referenced in the body of the text may be too lengthy to attach; all enclosures referenced are available upon request from NMFS's Kathy Ceballos at 503/230-5420 or via email at kathy.ceballos@noaa.gov

2. Updates.

A. In-Season Management (TMT). Cindy Henriksen reported that the 2001/2002 Bonneville chum operation began November 19; the action agencies have agreed to maintain Bonneville tailwater depth at an operating range of 11.4-11.6 feet. Henriksen noted that there were a few occasions when tailwater elevation exceeded 11.6 feet last week, despite the fact that flow at Bonneville was maintained at 80 Kcfs, the project minimum; this was due to precipitation-driven spikes in tributary flow and to high tides. Howard Schaller noted that flows out of the Willamette system are currently very large, which is another factor influencing Bonneville tailwater elevation. Flow at Salem was as high as 72 Kcfs yesterday, said Henriksen, noting that bank-full at Salem is 90 Kcfs. We're operating the Willamette for flood control, she added.

Moving on to snow pack information, Henriksen said snow-water equivalents are generally average to slightly below average east of the Cascades, despite the recent heavy precipitation on the west side. Unregulated streamflow in the Columbia is about 90% of average currently, so we're really not seeing that picking up as yet, Henriksen said.

The draft 2002 Water Management Plan is now available on the TMT website, Henriksen continued; we will be discussing that at the next face-to-face TMT meeting on December 19. In response to a question from Schaller, Henriksen said Canadian snowpack is also average to slightly below-average, currently; bear in mind also that the Canadian storage reservoirs have been drafted pretty heavily in the past year, so they have a long way to go to refill, she said.

How is the chum redd mapping going? Ruff asked. It's too turbid to see redds, presently, Schaller replied – we will have to wait until tributary flows subside before the GPS mapping can proceed. There were about 300 redds counted as of last Tuesday, he said, and we did hand out a map showing their distribution at last week's TMT meeting. Hardy Creek and Hamilton Springs had 313 and 370 live fish, respectively, in their spawning grounds as of last week, he added.

Henriksen added that the Corps is preparing to update its TMT website; she asked that any comments or suggestions about the website content be provided to her.

B. Independent Scientific Advisory Board (ISAB). No ISAB report was presented at today's meeting.

C. Water Quality Team (WQT). No WQT update was presented at today's meeting.

D. System Configuration Team (SCT). No SCT update was presented at today's meeting.

E. TMDL Update. Mary Lou Soscia updated the IT on the status of the mainstem TMDL development effort. She worked from a series of overheads, copies of which are available as Enclosure C. Please refer to this document for details of Soscia's presentation. Soscia touched on the following major areas:

- The geographic scope of the mainstem TMDL
- The specific TMDLs included in this effort
- Other related activities
- The applicable Clean Water Act requirements
- What a TMDL is
- The technical process for TMDL development
- The state and tribal agencies with a Clean Water Act role in the project area
- Columbia/Snake 303(d) listings for temperature and dissolved gas
- Key actions
- Consultation and coordination with Columbia Basin tribes
- the Lake Roosevelt dissolved gas TMDL
- Coordination and outreach efforts
- Sources of additional information about the TMDL (the Region 10 homepage: www.epa.gov/r10earth/index.htm, the Columbia/Snake Rivers TMDL web page: www.epa.gov/r10earth/columbiainstemtmdl.htm; the Office of Water TMDL homepage: www.epa.gov/OWOW/tmdl/index.html).

Soscia noted that the draft Lower Columbia dissolved gas TMDL will be available for public review by December 30; it will be made available via the Columbia mainstem TMDL homepage referenced above. The public comment period will close in late February, and EPA will issue its determination of approval or disapproval in Spring 2002. The Lower Snake River dissolved gas TMDL will be available in September 2002; EPA will issue its approval or disapproval in December 2002. The temperature TMDLs for Oregon, Washington and Idaho and the Mid-Columbia/Lake Roosevelt gas TMDL are also scheduled for finalization in December 2002.

Soscia noted that these TMDLs will set the load allocations for temperature and dissolved gas; there will also be state-developed implementation plans associated with these TMDLs.

3. Decision on Establishing Criteria for De-Watering Chum Salmon Redds.

This came out of discussions with TMT, said Silverberg; when the first SORs were submitted for chum operations this year, the sentiment was expressed that it would be very helpful if we had established criteria in place for when redds should be dewatered, prior to any emergency situation arising. There are two basic issues, said Ruff: first, is it appropriate to even try to develop criteria for dewatering, and if so, who should be tasked with developing them?

Given the fact that the BiOp prioritizes refill over chum flows, said Catherine Cheney, that sets up a conflict over the chum operation every year. There's one other thing, as well, said Paul Wagner: how should the chum operation be managed? The BiOp tried to be specific, in saying that we should try to operate conservatively, and use meteorological information to develop an operation that can be maintained all the way through emergence. Some clarification from IT on that issue would help guide the TMT's annual discussion of the chum operation, said Wagner.

What we're interested in doing is establishing a tailwater elevation during spawning that we have a high probability of being able to maintain through emergence in April, Ruff said. For that reason, given the fact that this isn't the highest-priority operation under the BiOp, we would like to get some TMT buy-in on the idea that such a conservative approach is the proper one to take, he said.

The idea of choosing a tailwater elevation we believe we can maintain automatically places the greatest burden of risk on the chum, Tony Nigro observed – the real key is how we choose to assess and manage that risk. It would be helpful to have a higher level of discussion about how that call is made, possibly at the executive level, he said. The “conservative approach” implies that NMFS is fairly certain that this approach poses an acceptable jeopardy risk to this stock, he added; I'm not sure Oregon is confident that the record has been established on that issue.

Because of the Hogan decision, we're going to go back and update the status of all of the ESU stocks, Ruff said; when that information is available, we will share it. There may be other tradeoffs among the other river uses that have been sacrosanct up to now, Nigro said; in other words, we may have some other alternatives, as far as how we assign this risk among all of the uses of the river. That gets back to the initial question about whether or not we should even establish dewatering criteria, he said.

The group devoted a few minutes of discussion to the question of how to resolve this issue. Jim Litchfield suggested that it makes sense to wait until NMFS' biological re-assessment is complete before the dewatering criteria are developed. Bill Tweit observed that, in Washington's view, it is just as important to take care of chum as it is to take care of the upriver stocks, despite the fact that the upriver stocks are at a much greater level of risk from hydro operations than the chum are. We definitely need some concentrated discussion about what our priorities should be, in years when it is not possible to implement all of the operations called for in the BiOp, he said, adding that, to Washington, storing water for spring flow augmentation for the upriver stocks should be the number one priority. Nigro observed that, before decisions are made about which ESU stocks should receive priority and which should suffer, there needs to be extensive discussion of tradeoffs between ESA and other river uses. Schaller observed that the real issue here is how much the region can deviate from the BiOp and still maintain an acceptable level of biological risk, recognizing that, in some water years, some deviation may be unavoidable. Ruff Responded that NMFS does not believe the current chum operation deviates from the 2000 biological opinion.

The group discussed the nuances of the specific BiOp language regarding the chum operation, as well as who might undertake an investigation of the level of biological risk to the chum population under a range of operational alternatives.

Jim Fodrea observed that, after hearing today's discussion, it is apparent that there would be little benefit in developing dewatering criteria at this time. He viewed this more as an in-season, adaptive management call. Nigro suggested that NMFS develop a proposed approach to resolving this issue, possibly including the development of draft dewatering criteria, and allow the other IT participants to react. Ultimately, NMFS agreed to produce a document laying out a list of factors and its decision rationale related to the chum operational issue, for discussion at the December 19 TMT meeting. It was agreed that the draft document will be distributed to both the IT and the TMT memberships.

4. Continuation of Discussion on Changes to Existing Implementation Processes and Procedures: Purpose/Scope/Goals.

This issue was discussed last meeting, Silverberg said; following that meeting, I sent out a written summary of the ideas and suggestions made at that meeting. This document is available as Enclosure D. The hope was that this document would stimulate some further thought about the purpose, scope and goals of the IT, which would then be shared at today's

meeting, she said.

In response to a question from Jim Litchfield, John Palensky explained that the purpose of this exercise is to take feedback about how the Implementation Team process can be modified to better meet the needs of all three sovereigns, and, in particular, to encourage more state and tribal participation in the IT process. Litchfield noted that this issue will be discussed at tomorrow's Regional Executives meeting. Cheney observed that another purpose of this exercise is to clarify the IT's role and purpose in preparation for that Regional Executives discussion.

The group devoted a few minutes of discussion to the role of the Federal and Regional executives in making operational decisions in 2001. Ron McKown observed that, in his view, this situation arose because the IT abrogated its responsibilities; there were many decisions the IT could have made last year, which instead were passed on to the executives, he said. In fairness, many of those decisions were passed to the executives because IT participants said they were unable to make those decisions without consulting with policy-level people in their own agencies, Silverberg said. In that case, McKown replied, maybe we don't have the right representatives at the IT table.

Jim Fodrea noted that the reason the Executives essentially seized control of operational decision-making in 2001 was obvious – it was the extreme water year and the power emergency. If we have another 50-60 MAF year in 2002, with power prices going through the roof, you can bet the Executives will take control again, he said – that's how the system is supposed to work.

Ruff said that, in his view, one of the main roles of the IT is to guide the implementation planning process. Still, said Litchfield, if you are going to bring all of the states and tribes back to the IT table, something needs to change. There are so many forums and tables in the region that you can find one to address any issue you may be interested in, Nigro said – and if there is another table where the decisions are actually being made, that's where you're going to focus your limited resources. Litchfield noted that the Council no longer appears to participate in the IT process either, a lack of participation that needs to be repaired.

Various participants weighed in on the question of what the IT should and should not be. One suggestion the tribes made to Gary Sims was that the IT hold its meetings at different locations around the region, Ruff noted -- Spokane, Boise and Lewiston, for example.

McKown reiterated his point that the IT needs to become more relevant, or it will find itself overtaken by other groups. It seems that the current system isn't working, he said. Ultimately, Ruff said he will share the concerns raised at today's meeting with Brian Brown, who will be attending tomorrow's Regional Executives meeting; given the level of concern I've heard, he said, it may be a good idea for me to attend as well. NMFS is open to changing this process to make it as relevant and valuable as possible to all three sovereigns, he said; if IT is to be effective, we need additional state and tribal participation. McKown observed that this is especially critical because it will be impossible to implement the 2000 BiOp, particularly the

offsite mitigation and hatchery actions included therein, without extensive state and tribal participation.

Cheney asked NMFS to develop a proposal as to how the outreach process might proceed, and how the IT might be restructured to increase its relevance to the states and tribes. It was further suggested that a separate meeting, or workshop, to discuss this issue with the states and tribes could be scheduled, possibly in Spokane.

5. Briefing on Action Agencies' FY'02 Annual Implementation Plan.

Cheney noted that the FY'02 annual implementation plan is now available on the <http://www.salmonrecovery.gov> website; hard copies are also available upon request. Cheney, Michael Newsom, Witt Anderson, Jim Fodrea, Dan Daley and Jim Geiselman briefed the IT on the contents of this plan, working from a series of overheads (Enclosure F). They touched on the following main points:

- The scope of the federal salmon recovery initiatives
- The purpose of the 2002 one-year implementation plan
- The relationship between the 2002 one-year implementation plan and other regional plans
- the 2002 one-year implementation plan structure
- the specific hydrosystem priorities laid out in the plan
- the habitat priorities laid out in the plan
- the hatchery priorities laid out in the plan
- the harvest priorities laid out in the plan
- the research, monitoring and evaluation priorities laid out in the plan
- the resident fish priorities laid out in the plan
- the need for priority-setting among actions

Please refer to Enclosure F, or the 2002 one-year implementation plan itself, for details of this presentation, as well as the specific actions and projects called for in the plan.

What is the current schedule for completing the five-year implementation plan and progress report? Chris Toole asked. We have done an internal summary of agency, state and tribal comments, Daley replied; we will be talking to the Regional Executives tomorrow about how to respond to those comments. In other words, he said, we should have a better idea of when those documents will be available after tomorrow's meeting, Daley said -- we recognize the need to make some changes to the current draft of the five-year plan, but we're not sure yet about the schedule under which that will occur. Daley added that the progress report is scheduled for public release in early January.

How are you working with the Council, to ensure that they're fully cognizant of your priorities? Palensky asked. It's been an education, trying to fit our schedule in with their provincial reviews, Daley replied; in addition, we still haven't negotiated a budget. Having said

that, though, there is a lot of hope that, once people have subbasin summaries in hand and the subbasin planning process gets underway, priorities and project selection should become much clearer, Daley said. In the current provincial review process, without subbasin plans in place, what you see is a whole lot of projects on the table, without any real priorities in place. For that reason, said Daley, BPA is being a bit conservative about what we fund.

6. Federal RM&E Group Activities.

Thus topic came up at last month's IT meeting, Ruff said; there was a general lack of knowledge about the federal RM&E group's activities, hence this agenda item. Geiselman explained that the RM&E effort is focused on meeting the requirements in the BiOp – to inform the identification and prioritization of RM&E actions as well as the periodic progress check-ins.

In some cases our efforts may overlap with those of other groups, he said; hopefully, however, we can minimize those overlaps through vigorous coordination. We have started a technical oversight committee, consisting of representatives from the federal agencies and NMFS, to begin to develop the program; the primary focus will be on anadromous fish and on offsite mitigation. The technical oversight group includes representatives from the Corps, BPA, NMFS, Reclamation and the Council; we have been holding weekly conference calls for about the past three months. Two subgroups have been designated so far, one to look at status monitoring guidelines and the other to look at effectiveness monitoring, guidelines, protocols and information needs. We're trying to develop a hydro-specific workgroup, as well as for the estuary and ocean, Geiselman added.

There are a lot of coordination requirements if this effort is going to be successful, Geiselman said; that effort will include state and tribal participation at the subgroup level. We have also solicited Council participation in the technical oversight group. We have also discussed holding some workshops on various aspects of this effort, he said, adding that the development of Oregon, Washington and Idaho pilot projects is another area where state and tribal participation will be solicited. There are numerous other areas where outreach and coordination will occur, Geiselman said; we have also discussed building a website through which to disseminate information.

The group has identified five major areas of work, Geiselman said: population and environmental status monitoring, effectiveness monitoring, critical uncertainties, implementation and compliance monitoring and data support systems. Will you be developing a regional RM&E plan? Palensky asked. That's the goal, Geiselman replied; we're hoping to have that available some time this spring, but have been reluctant to commit to a specific date. I would also be careful about calling it a regional plan, Nigro observed, given the fact that this is essentially a federal effort, focused on ESA implementation.

What about tribal participation? Palensky asked. Again, we want to solicit and encourage tribal participation at the technical subgroup level, Geiselman replied. I would start with a call to Phil Roger at CRITFC, Palensky suggested. Geiselman also distributed a summary

of recent RM&E work group activities (Enc. G).

The group devoted a few minutes of discussion to the connections between the federal RM&E effort and the Council's now-occurring mainstem provincial review; Ruff said it is important that the mainstem provincial review includes the RM&E activities NMFS feels are crucial to its implementation effort. We'll let you know if we see any major gaps in the RM&E activities the Council identifies in the mainstem provincial review, or if there is a need for the IT to get involved, Ruff said.

7. McNary Transport Study/Marking of Test Fish.

Ruff said this item is on the agenda because we have not yet heard one way or the other about the marking of spring chinook test fish; if we don't hear soon, the transport study won't be able to go forward. We need to know if we can PIT tag 355,000 spring chinook at Mid-Columbia hatcheries, Ruff said. We're working that issue as hard as we can, said Bill Tweit, but it's caught up in a lot of other issues. Ruff said NMFS needs an answer by the end of this week. We'll get back to you later today or tomorrow, said Tweit.

The real issue is that this is a huge number of fish to PIT-tag, Tweit said; we understand the reasoning behind the study, he said, but we need to decide whether or not it's logistically workable – we've never PIT-tagged on this scale before. David Wills said the Fish and Wildlife Service has some minor study design and logistical concerns; however, he said, the Service has heard that some of the tribes do have concerns about this study, and do not want it to go forward. Ruff said NMFS staff will call Wills directly to discuss the Fish and Wildlife Service's concerns.

8. Next IT Meeting Date.

The next meeting of the Implementation Team was set for Thursday, January 10. Meeting notes prepared by Jeff Kuechle, BPA contractor.